

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

HAAS OUTDOORS, INC.	§	
	§	
Plaintiff,	§	C.A. NO. 1:18-cv-00978-RP
	§	[LEAD CASE]
v.	§	
	§	
DRYSHOD INTERNATIONAL, LLC, AND JAMES K. DONOHUE	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	

DRYSHOD INTERNATIONAL, LLC, AND JAMES K. DONOHUE	§	
	§	
Plaintiffs,	§	C.A. NO. 1:18-cv-00596-RP
	§	[CONSOLIDATED]
v.	§	
	§	
HAAS OUTDOORS, INC., TOXEY HAAS and WILLIAM SUGG	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	

JOINT NOTICE OF STIPULATED FACTS FOR TRIAL

Pursuant to Local Rule CV-16(e)(3) and the Court’s December 2, 2019 Order (Dkt. #190), Plaintiff Haas Outdoors, Inc. (“Haas Outdoors”) and Defendants Dryshod International, LLC (“Dryshod”) and James K. Donohue (collectively, “Defendants”) submit this joint notice of stipulated facts.

1. The Plaintiff is Haas Outdoors, Inc. (“Haas Outdoors”).
2. James and Maureen Donohue are the founders and original owners of the Muck Boot Company (“MBC”).

3. Team J Sales & Marketing, Inc. (“Team J”) and Co-Operative Feed Dealers, Inc. (“CFD”) distributed MBC boots during the time the Donohues owned and operated MBC.

4. The Donohues sold MBC to Norcross Safety Products, LLC (“Norcross”), which later sold MBC to Honeywell International Inc. (“Honeywell”).

5. Team J and CFD distributed MBC boots during the time MBC was owned by Norcross and during the time MBC was owned by Honeywell.

6. Honeywell informed Team J and CFD in February 2017 that it would be terminating its distribution contracts with them.

7. In early 2017, two former MBC distributors (Team J and CFD) approached Donohue about designing and producing a line of waterproof boots to compete with MBC and others.

8. In June 2017, Honeywell terminated its distribution agreements with Team J and CFD.

9. Haas Outdoors owns and has used the following marks in interstate commerce:

MARK	REGISTRATION NO.
MOSSY OAK®	1,525,739
MOSSY OAK BRAND CAMO® (and design)	2,227,642
MOSSY OAK®	2,003,245
MOSSY OAK®	4,632,533
MOSSY OAK® (and design)	5,171,334
BREAK UP®	2,109,659
NEW BREAK UP®	2,686,006

BREAK-UP INFINITY®	3,908,228
BREAK-UP COUNTRY®	4,740,743
BREAK-UP COUNTRY® (and design)	4,749,605

10. Haas Outdoors registered its NEW BREAK-UP camouflage pattern with the Copyright Office on December 21, 2001.

Dated: January 21, 2020

HAAS OUTDOORS, INC.

By Its Attorneys,
JONES WALKER LLP

/s/ Andrew S. Harris
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Respectfully submitted,

DRYSHOD INTERNATIONAL, LLC
AND JAMES K. DONOHUE

By Its Attorneys,
K&L GATES LLP

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CERTIFICATE OF SERVICE

I declare that on January 21, 2020 a copy of this document have been served by email on all counsel of record.

/s/ Darlene F. Ghavimi